

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
GE AMERICAN COMMUNICATIONS, INC.	)	
	)	File No.: 65-SAT-P/LA-98
	)	IBFS File Nos. SAT-LOA-19971222-00230,
Application for Authority to Launch and	)	SAT-AMD-20000510-00089
Operate a Replacement C/Ku Hybrid Fixed	)	
Satellite Service Space Station at 72° W.L.	)	
	)	

**MEMORANDUM OPINION, ORDER AND AUTHORIZATION**

**Adopted: October 12, 2000**

**Released: October 12, 2000**

By the Chief, Satellite and Radiocommunication Division, International Bureau:

**I. INTRODUCTION**

1. By this Order, we grant GE American Communications, Inc. ("GE Americom") authority to launch and operate the hybrid C/Ku-band<sup>1</sup> GE-6 replacement satellite at the 72° W.L. orbit location. Today's action will permit GE Americom to serve customers from the 72° W.L. orbit location with a state of the art satellite.

**II. BACKGROUND**

2. GE Americom requests authority to launch and operate GE-6 to replace its Satcom SN-4 spacecraft. Satcom SN-4 was originally assigned to the 101° W.L. orbit location. In 1997, GE Americom applied to replace Satcom SN-4 at 101° W.L.<sup>2</sup> GE Americom subsequently filed modification applications seeking authority to exchange orbital locations for Satcom SN-4 and

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<sup>1</sup> The C-band is used here to refer to the 3700-4200/5925-6425 MHz frequency bands. The Ku-band traditionally refers to the 11.7-12.2/14.0-14.5 GHz bands. The GE-6 spacecraft design also includes an extended Ku-band (11.45-11.7 GHz and 13.75-14.0 GHz) payload, but GE Americom will not operate that payload at the 72° W.L. orbit location, as discussed below.

<sup>2</sup> Application of GE American Communications, Inc. for Authority to Launch and Operate a Hybrid Replacement Satellite, File No. 65-SAT-P/LA-98, IBFS File No. SAT-LOA-19971222-00230 ("SN-4 Replacement Application").

GE Americom's GE-4 hybrid satellite. These applications were granted in 1999, authorizing GE-4, which had been assigned to the 72° W.L. position, to be launched instead into the 101° W.L. orbit location, and reassigning Satcom SN-4 from 101° W.L. to 72° W.L.<sup>3</sup> More recently, Satcom SN-4 was operating at 81.1° W.L. pursuant to special temporary authority that expired on September 27, 2000.<sup>4</sup>

3. In May 2000, GE Americom amended the SN-4 Replacement Application to reflect the reassignment of Satcom SN-4 from 101° W.L. to 72° W.L. and to make other changes in order to effectuate international coordination agreements relating to the 72° W.L. orbit location.<sup>5</sup> Specifically, the Amendment made clear that although GE-6 included an extended Ku-band payload, GE Americom would not provide extended Ku-band services at the 72° W.L. location. The Amendment also specified that the coverage area of GE-6 would be limited to North America and the Caribbean. PanAmSat Corporation ("PanAmSat") filed comments on the Amendment indicating that it did not oppose the Amendment, but was concerned about coordination of GE-6 with PanAmSat's SBS-6 and Galaxy VI satellites located at 74° W.L.<sup>6</sup> In its response, GE Americom reaffirmed its commitment to coordinate with PanAmSat.<sup>7</sup> In addition, GE Americom observed that it had successfully coordinated GE-4, which has a payload design identical to that of GE-6, with PanAmSat's adjacent operations two degrees away.<sup>8</sup> No other party commented on the Amendment.

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<sup>3</sup> *GE American Communications, Inc.*, 15 FCC Rcd 3385 (Sat. & Radiocomm. Div. 1999) ("GE-4 Order").

<sup>4</sup> See Letter from Thomas S. Tycz to Karis A. Hastings dated March 28, 2000, File No. SAT-STA-2000120-00050.

<sup>5</sup> Amendment of GE American Communications, Inc. to Application for Authority to Launch and Operate a Replacement Satellite for Satcom SN-4, File No. SAT-AMD-20000510-00089 ("Amendment").

<sup>6</sup> Comments of PanAmSat Corporation, File Nos. 65-SAT-P/LA-98, IBFS File No. SAT-LOA-19971227-00230; SAT-AMD-20000510-00089 (filed June 23, 2000).

PanAmSat had previously filed comments regarding the initial SN-4 Replacement Application. Comments of PanAmSat Corporation, File Nos. 65-SAT-P/LA-98, IBFS File No. SAT-LOA-19971227-00230 (filed Feb. 17, 1998). The comments concerned coordination between the proposed SN-4 replacement at 101° W.L. and PanAmSat's operations at 99° W.L. Those comments have been rendered moot by the GE Americom Amendment, which specifies 72° W.L. rather than 101° W.L. as the location for the SN-4 replacement satellite.

<sup>7</sup> Response of GE American Communications, Inc., File No. SAT-AMD-20000510-00089 (filed July 7, 2000) at 2.

<sup>8</sup> *Id.* at 3.

### III. DISCUSSION

4. We find that GE Americom is legally, financially and technically qualified to launch and operate the GE-6 satellite.<sup>9</sup> GE Americom is a wholly-owned subsidiary of the General Electric Company, which has provided satellite services since the 1970s.<sup>10</sup> Financial reports for the General Electric Company, submitted with the instant application, indicate sufficient resources to cover the \$299 million estimated cost to construct, launch, and operate the satellite for one year.<sup>11</sup> In addition, technical review of the GE-6 application indicates that the spacecraft complies with Commission technical requirements, including our two-degree spacing policies.<sup>12</sup>

5. We also find that grant of GE Americom's application will serve the public interest. GE Americom's proposal is consistent with international coordination agreements and will permit the provision of service from the 72° W.L. orbit location using a state-of-the-art satellite. As for coordination issues raised by PanAmSat, we note that we have repeatedly stated that we expect licensees to bear the responsibility of coordinating adjacent satellites pursuant to the two-degree orbital spacing requirement because they are in the best position to determine the technical and economic tradeoffs inherent in reaching a coordination agreement.<sup>13</sup> We will not become involved in these coordination efforts unless the parties are unable to reach an agreement and request that we participate. In any event, the record here presents no potential problems that appear insurmountable. It is reasonable to expect that with good faith efforts, the affected operators will be able to reach a coordination agreement.

### IV. CONCLUSION AND ORDERING CLAUSES

6. Accordingly, IT IS ORDERED that GE Americom's application, File No. 65-SAT-P/LA-98 (IBFS File No. SAT-LOA-19971222-00230), as amended, File No. SAT-AMD-20000510-00089, IS GRANTED and GE Americom is authorized to launch and operate its GE-6 satellite at 72° W.L. in accordance with the terms, conditions, and technical specifications set forth in its application as amended.

7. IT IS FURTHER ORDERED that GE Americom shall prepare the necessary information, as may be required, for submission to the ITU to initiate and complete the advance publication, international coordination, and notification process of this space station in

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<sup>9</sup> See *Licensing Space Stations in the Domestic Fixed-Satellite Service*, 58 R.R.2d (P&F) 1267, 1272-73 (1985).

<sup>10</sup> See, e.g., *GE American Communications, Inc.*, 11 FCC Rcd 15030, 15032 n.13 (Int'l Bur. 1996).

<sup>11</sup> See GE-6 application, File No. 65-SAT-P/LA-98, at p.10, App. B.

<sup>12</sup> For more information regarding the Commission's two-degree spacing policy, see *Licensing Space Stations in the Domestic Fixed-Satellite Service*, 48 Fed. Reg. 40233, 54 Rad. Reg. 2d (P&F) 577 (1983) and *Televisa International, LLC*, Order and Authorization, 13 FCC Rcd 10074, 10076-77 ¶¶ 7-9 (Int'l Bur. 1997).

<sup>13</sup> See, e.g., *GE-4 Order* at ¶ 10; *Assignment of Orbital Locations to Space Stations in the Domestic Fixed-Satellite Service*, 5 FCC Rcd 179, 181 (1990).

accordance with the ITU Radio Regulations. We also note that no protection from interference caused by radio stations authorized by other administrations is guaranteed unless coordination procedures are timely completed or, with respect to individual administrations, by successfully completing coordination agreements. Any radio station authorization for which coordination has not been completed may be subject to additional terms and conditions as required to effect coordination of the frequency assignments of other administrations. *See* 47 C.F.R. § 25.111(b).

8. IT IS FURTHER ORDERED that operations over GE-6 at the 72° W.L. orbital location SHALL BE in compliance with all international coordination agreements reached with other administrations regarding the U.S. satellite use of specific frequency bands at that orbital location.

9. IT IS FURTHER ORDERED that GE Americom is obliged to comply with the applicable laws, regulations, rules, and licensing procedures in every country it proposes to serve.

10. IT IS FURTHER ORDERED that the license term for the GE-6 satellite is ten years and will begin to run on the date the licensee certifies to the Commission that the satellite has been successfully placed into orbit and its operation fully conforms to the terms and conditions of this authorization.

11. GE Americom is afforded thirty days from the date of release of this *Order* and authorization to decline this authorization as conditioned. Failure to respond within this period will constitute formal acceptance of the authorization as conditioned.

12. This *Order* is issued pursuant to Section 0.261 of the Commission's rules on delegated authority, 47 C.F.R. § 0.261, and is effective upon release. Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of the release of this *Order* (*see* 47 C.F.R. § 1.4(b)(2)).

FEDERAL COMMUNICATIONS COMMISSION

Thomas S. Tycz  
Chief, Satellite and Radiocommunication Division